

Election of Species Requirements

The Office Action set out three Election of Species requirements, as follows.

1) The Office Action required that Applicant elect one condition from claims 4-7, 21, 23, and 24.

Applicant hereby elects “breast cancer.”

Of elected Group I claims, the claims readable on the species “breast cancer” include claims 1-5, 8, 9, and 16-20.

2) The Office Action required that Applicant elect “breast tissue” or “prostate tissue.”

Applicant hereby elects “breast tissue.”

Of elected Group I claims, the claims readable on the species “breast tissue” include claims 1-5, 8, 9, 16-21, and 24.

3) The Office Action required that Applicant elect a species of treatment that is in combination with the antagonist and zinc.

Applicant hereby elects “surgery.”

Of elected Group I claims, the claims readable on the species “surgery” include claims 1-10, 16-19, and 22.

In connection with each of the above-noted species election requirements, the Office Action stated that claims 1-3 are generic. Applicant notes that, upon allowance of a generic claim, Applicant is entitled to consideration of non-elected species.

II. CONCLUSION

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number TRCA-004.

Respectfully submitted,
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